

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

| | | |
|-------------------------|---|------------------------|
| WILLIE E. JACKSON, JR., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Case No. 4:05CV907 JCH |
| |) | |
| METRO/BI-STATE |) | |
| DEVELOPMENT AGENCY, |) | |
| |) | |
| Defendant. |) | |

ORDER

This matter is before the Court on Defendant's Motion for More Definite Statement, filed January 31, 2006. (Doc. No. 24). Plaintiff has not responded to the motion.

Plaintiff filed his original complaint in this matter on June 3, 2005. (Doc. No. 3). On November 14, 2005 he filed his first amended complaint. (Doc. No. 8). On January 27, 2006, he filed his second amended complaint. (Doc. No. 26). The second amended complaint is not, however, a full complaint. It is merely a memorandum with two or three additional counts that he wishes to add to his previous complaint.

"It is well-established that an amended complaint supercedes an original complaint and renders the original complaint without legal effect." In re Wireless Telephone Federal Cost Recovery Fees Litigation, 396 F.3d 922, 928 (8th Cir. 2005). Therefore, once Mr. Jackson filed his second amended complaint, the first amended complaint was no longer in effect.

Plaintiff is directed to file a third amended complaint, clearly setting out every ground on which he brings suit. This third amended complaint should use the same format that was used for the

first amended complaint.

Accordingly,

IT IS HEREBY ORDERED that Defendants' Motion for More Definite Statement (Doc. No. 24) is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff is granted until **Friday, March 31, 2006**, within which to file a Third Amended Complaint, in accordance with the above terms and conditions.

Dated this 10th day of March, 2006.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE